

# **TOWN OF LAUDERDALE-BY-THE-SEA**

## **TOWN COMMISSION**

### **REGULAR MEETING**

### **AGENDA**

Town Commission Meeting Room  
**4501 Ocean Drive**  
**Tuesday, March 11, 2008**  
**7:00 P.M.**

1. **CALL TO ORDER, MAYOR ROSEANN MINNET**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION**
4. **PRESENTATIONS**
  - a. Proclamation declaring June 23<sup>rd</sup> through June 29<sup>th</sup>, 2008 as Amateur Radio Week (Mayor Minnet)
  - b. Presentation by Wayne J. Picone, Regional Director of the Seniors vs. Crime Project, a special project of the Florida Attorney General's Office.
5. **REPORTS**
6. **APPROVAL OF MINUTES**
  - a. February 19, 2008 Organizational Meeting
  - b. February 19, 2008 Regular Meeting
7. **PUBLIC COMMENTS**
8. **ORDINANCES (2nd Reading) "Public Hearings"**
9. **COMMISSIONER COMMENTS**
10. **ORDINANCES (1st Reading)**
  - a. **ORDINANCE NO. 2008-03:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 30-313 OF THE CODE OF ORDINANCES, GENERAL PROVISION, TO DELETE THE CURRENT SECTION 30-313 IN ITS ENTIRETY AND ADDING A NEW SECTION 30-313 TO CLARIFY PROVISION REGARDING THE HEIGHT OF HEDGES, PLANTINGS AND FENCES (Attorney Cherof) (Discussion and/or action – Commissioner Clotey)

- b. ORDINANCE NO. 2008-04:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA AMENDING CHAPTER 6, BUILDING AND BUILDINGS REGULATIONS, OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 6-8.1 PORTABLE STORAGE UNIT PROVISIONS, TO CLARIFY PERMIT FEES, LENGTH OF PERMITS, ELIMINATION OF SURETY REQUIREMENTS, AND STORAGE SIZE LIMITATIONS (Attorney Cherof) (Discussion and/or action – Development Services Director Rabinowitz)
- c. ORDINANCE NO. 2008-05:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA RESCINDING ORDINANCE 2006-18; CONFIRMING THE TERM LIMIT PROVISIONS OF THE NOVEMBER 2006 CHARTER AMENDMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Attorney Cherof) (Discussion and/or action – Commissioner Dodd)
- d. ORDINANCE NO. 2008-06:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA REPEALING ORDINANCE 2003-511, WHICH CREATED THE MARINA VILLAGE OVERLAY DISTRICT; PROVIDING FOR LIMITATION ON THE EXTENSION OF SITE PLANS APPROVED UNDER OVERLAY DISTRICT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Attorney Cherof) (Discussion and/or action – Commissioner Dodd)
- e. ORDINANCE NO. 2008-07:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA REPEALING ORDINANCE 2003-529, WHICH CREATED THE BEACH VILLAGE OVERLAY DISTRICT; PROVIDING FOR LIMITATION ON THE EXTENSION OF SITE PLANS APPROVED UNDER OVERLAY DISTRICT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Attorney Cherof) (Discussion and/or action – Commissioner Dodd)
- f. ORDINANCE NO. 2008-08:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA REPEALING ORDINANCE 2006-01, WHICH RENAMED THE BEACH VILLAGE OVERLAY DISTRICT TO THE HOSPITALITY ZONING OVERLAY DISTRICT AND MODIFIED REGULATIONS OF THAT DISTRICT; PROVIDING FOR LIMITATION ON THE EXTENSION OF SITE PLANS APPROVED UNDER OVERLAY DISTRICT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Attorney Cherof) (Discussion and/or action – Commissioner Dodd)

- g. ORDINANCE NO. 2008-09:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA REPEALING ORDINANCE 2003-510, WHICH CREATED THE TOWN VILLAGE OVERLAY DISTRICT; PROVIDING FOR LIMITATION ON THE EXTENSION OF SITE PLANS APPROVED UNDER OVERLAY DISTRICT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Attorney Cherof) (Discussion and/or action – Commissioner Dodd)

**11. CONSENT AGENDA**

- a.** Commission approval of Special Event Permit Application for Town sponsored event, Easter by the Sea, Saturday, March 22, 2008, 10:00 a.m. till 12:00 p.m. at Municipal Park. (Assistant to the Town Manager Olinzock)
- b.** Commission approval to purchase and install a Memorial Plaque adjacent to Pine Avenue Portal in honor of Jeffrey Isreal Orseck (Assistant to the Town Manager Olinzock)
- c.** Commission approval for use of Jarvis Hall by Toby Lyons and Cheryl Montgomery for daughter's 13<sup>th</sup> birthday on Friday, March 21, 2008 from 7:00 p.m. to 10:00 p.m. (Assistant to the Town Manager Olinzock)
- d.** Commission approval of Special Event Application from the Community Church for Easter Sunrise Service (Assistant to the Town Manager Olinzock)
- e.** Commission approval for Air Conditioning installation (Assistant to the Town Manager Olinzock)
- f.** Commission approval for Municipal Park fence repairs (Assistant to the Town Manager Olinzock)
- g.** Commission approval for fence installation in Soccer area (Assistant to the Town Manager Olinzock)
- h.** Commission approval for use of Jarvis Hall by Colonial Bank, N.A. for Education Class for Managers to be held on Wednesday, April 23, 2008 from 8:30 a.m. to 10:30 a.m. (Assistant to the Town Manager Olinzock)
- i.** Commission approval for use of Jarvis Hall by Women's Club of Lauderdale-By-The-Sea for annual Silver Tea on Saturday, February 7, 2009 from 9:00 a.m. to 3:00 p.m. (Assistant to the Town Manager Olinzock)

- j. Certification of Lien Orders prepared by the Special Magistrate and ready to be placed into the public records to constitute a lien. Notification to the Commission is being provided (Development Services Director Rabinowitz)
- k. Commission approval for use of Jarvis Hall by LBTS Chamber of Commerce, for Chamber Breakfast meeting on Wednesday, April 16, 2008 from 7:30 a.m. to 9:30 a.m. Use of kitchen requested. (Assistant to the Town Manager Olinzock)
- l. Award of contract to Brandano Displays, Inc. for (A) the removal of old banners and brackets and the installation of new banners, and (B) the pricing for removal and replacement of banners per occasion. (Assistant to the Town Manager Olinzock)

## 12. RESOLUTION

- a. **Resolution 2008-06:** A Resolution for discussion and/or action opposing the Army Corp of Engineers future depletion or reduction of the levels of Lake Okeechobee (Attorney Cherof) (Discussion and/or action John Olinzock)
- b. **Resolution 2008-03:** A Resolution reducing and fixing the base application fee for variances for all residential and commercial properties to \$453 (Attorney Cherof) (Tabled at the February 26, 2008 Commission meeting by Vice Mayor McIntee)

## 13. OLD BUSINESS

- a. Discussion and/or action regarding drafting an Ordinance to pull the bags from the parking meters on Bougainvillea and Poinciana (Requested at the December 11, 2007 meeting by Mayor Parker – Tabled at the January 9, 2008 meeting)
- b. Discussion and/or action regarding Lifeguard Services (Manager Colon) (Tabled at the December 11, 2008 meeting)
- c. Change scheduled workshop date from June 10, 2008 at 5:00 p.m. to June 11, 2008 at 5:00 p.m. (Clerk White)
- d. Commission approval for Issuance of five (5) parking permits to be used in the Bougainvillea Parking Lot from March 1 thru February 2009 by Nova Southeastern University Staff during Sea Turtle strandlings and disorientation events. (Assistant to the Town Manager Olinzock) (Tabled at the February 26, 2008 Commission meeting for justification)

## 14. NEW BUSINESS

- a. Renewal of post hurricane clean-up agreements - Man Con and Post Buckley Schuh & Jernigan, Inc. (Assistant to the Town Manager Olinzock)

- b. Discussion and/or action regarding Seagrape change order (Commissioner Dodd)
- c. Discussion and/or action regarding repayment of legal fees incurred by dismissal of Board members (Commissioner Dodd)
- d. Discussion and/or action regarding for a stipend to defer the cost for Commission cell phone use (Vice Mayor McIntee)
- e. Discussion and/or action regarding medical insurance coverage for four Commissioners who are not covered (Vice Mayor McIntee)
- f. Discussion and/or action regarding multiple plaques in Town (Vice Mayor McIntee)
- g. Discussion and/or action regarding payment of legal fees incurred by Barbara Cole and Julio Omana (Commissioner Dodd)
- h. Discussion and/or action regarding appointment as representative for the Florida League of Cities (Commissioner Dodd)
- i. Discussion and/or action regarding invocation (Commissioner Dodd)
- j. Discussion and/or action regarding Friday Night Jazz in the Square permit revision (Vice Mayor McIntee)
- k. Discussion and/or action to nominate a member of the Commission to be the Honorary President of the Lauderdale by the Sea Sister Cities Association (Mayor Minnet)
- l. Discussion and/or action on beach access for residents living in the NW section of LBTS (Commissioner Clotey)
- m. Sale and purchase of property (Manager Colon)
- n. Pay off Promissory Note (Manager Colon)

**15. TOWN MANAGER REPORT**

- a. Town Topics bi-monthly

**16. TOWN ATTORNEY REPORT**

**17. FUTURE AGENDA ITEMS**

**March 25, 2008**

- a. Selection of Board and Committee members (Town Commission)

**April 8, 2008**

- a. Selection of Town Attorney (Requested at the February 19, 2008 Regular Commission Meeting- Mayor Minnet)

## **18. ADJOURNMENT**

*THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 776-0576 FOR ASSISTANCE.*

*IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.*